

**MEMORANDUM**

SUBJECT: Entry of Southeast Rockford Groundwater Contamination Superfund Site-
Source Area 9/10 Consent Decree (No. 08-C-50129) [05DK]

FROM: Tom Turner, Associate Regional Counsel
Multi-Media Branch I

TO: Shari Kolak,
Remedial Project Manager

Linda Haile, Accountant
Program Accounting and Analysis Section

Joe Poetter
EPA Cincinnati Finance Office
26 Martin Luther King Drive
Cincinnati, OH 45268.

Attached please find a copy of the Southeast Rockford Groundwater Contamination Superfund Site (SERGWCSS) Consent Decree entered in the U.S. District Court for the Northern District of Illinois, Western Div. (Rockford, IL), as 'United States and State of Illinois v. Hamilton Sundstrand Corporation,' Civ. No. 08-C-50129 on September 2, 2008. The settlement provides for performance of a remedial action by defendant, and payment by defendant of all interim and future response costs incurred by U.S. EPA and Illinois EPA from April 27, 2007 forward through completion of the work and completion of all other of defendant's obligations as stated in the CD under Section 107 of CERCLA. The facility is located at 4747 Harrison Avenue, Rockford (Winnebago County), Illinois.

Pursuant to the consent decree at Section XVI (Paragraphs 55-57), Hamilton Sundstrand Corporation will pay all interim and future response costs (not inconsistent with the National Contingency Plan) of the U.S. EPA, the Illinois EPA, and the Office of the Illinois Attorney General. The defendant's cost obligations begin with all response costs of the above mentioned plaintiff parties, as of April 27, 2007 forward through the completion of all work and other obligations of defendant under the Consent Decree. Pursuant to the Consent Decree at Section XVI, Paragraph 55.c, all costs paid by defendant to U.S. EPA shall be paid into the SERGWCSS-Source Area 9/10 Special Account. Pursuant to the Consent Decree at Section XVI, Paragraph 55.a.(i) and (ii), defendant shall make all payments of more than \$10,000 by Electronic Funds Transfer

(EFT), in accordance with U.S. EPA EFT/wire transfer procedures as described at Paragraph 55.a.(i). And, defendant shall have the option to make all payments of \$10,000 or less by EFT/wire transfer procedures as described in the previous sentence, or by certified or cashier's check or check made payable to U.S. EPA pursuant to the Consent Decree at Paragraph 55.a.(ii).

Please feel free to contact me at 886-6613, if you have any questions.

Attachment

cc: Erin Yun, SM-5J (w/ Consent Decree)
Record Center, SMR-7J (w/ Consent Decree)

cc: Thomas Marks (only memorandum)
Carl Stimson (only memorandum)